

Application No. 09/403131
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Amendment
Attorney Docket No. H01.21-8601-US01

Remarks

This Amendment is in response to the Office Action dated **October 7, 2004**. The Office Action withdrew the indication of allowability of claim 10 in view of newly discovered reference Hodder; rejected claims 1-3, 7-14, 18-19 under §112, second paragraph; rejected claims 20-21 as anticipated by Hodder and rejected claims 1-3, 7-14, 18-19 as anticipated by or obvious by Hodder, and rejected claims 1-3, 7-9 and 12-20 as being obvious over Reichert in view of Meyers.

In response, applicant has amended claim 1 and cancelled claims 20-21, without prejudice. Claims 20-21 were added in view of indications of allowability and therefore are being cancelled without prejudice in view of the withdrawal of allowability.

Claim 1 has been amended to address the §112 rejections raised in the third paragraph of the office action.

The claims, as amended, are not anticipated by or rendered obvious by Hodder. Hodder discloses a partitioned box provided with a collapsible partition assembly which is durably secured via attachment flap 20 to side wall panel 12. Attachment flap 20 is not a separable perforated tab, but a flap being connected by a fold line to partition panel 18. There is only one single partition assembly 18, 20 secured to the box and the partition assembly is not suitable for carrying bottles independently from the box.

Claim 1, as amended, requires a **releasable fastened multi-piece packagings** – which is therefore suitable for being released and independently carrying bottles separate from the transport box. Hodder does not disclose or suggest such as construction. Its one single partition assembly is permanently attached and not releasably attached, and is therefore not suitable for carrying bottles independently from the transport box.

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Similarly, claims 1-3, 7-9 and 12-19 are not obvious over Richert in view of Meyers. The cellular collars 95 disclosed in Reichert are part of the packaging machine, which only support introduction of the bottles into the boxes. Collars 95 are not multi-piece packaging and are not inserted into and releasably fastened to the transport boxes for storage and transportation.

Meyers does not disclose boxes comprising several multi-piece packagings, as required by claim 1 as amended. Meyers also does not teach releasably fastened multi-piece packagings. Finally, Meyers does not disclose multi-piece packagings suitable for transportation of bottles independently from the boxes. None of these features, required by claim 1, are found in any of the cited art and therefore Richert in view of Meyers fails to meet the limitations of claims 1-3, 7-9 and 12-19.

In view of the foregoing it is believed that the present application, with pending claims 1-3, 7-14, and 18-19, is in condition for allowance. Early action to that effect is earnestly solicited.

Respectfully submitted,

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